

Applicant: Carlo Amalfitano
Application No.: 09/778,478

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1 and 3-17 are currently pending in this application. Claims 18-24 have been canceled without prejudice. Claims 1 and 3-17 have been amended to more distinctly claim subject matter which the Applicants regard as the invention. Applicants submit that no new matter has been introduced into the application by these amendments.

Objections to the Drawings

The Examiner objected to the drawings under 37 CFR 1.83(a) arguing the drawings must show every feature of the invention specified in the claims. Independent claims 1, 4, 11 are amended and supported in Figure 4. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections - 35 USC §101

Claims 1 and 3-24 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. As amended, independent claims 1, 4, and 11 produce a tangible result. Namely, the independent claims include the limitation of allocating traffic channels. Accordingly, the claims recite statutory subject matter and withdrawal of the rejection to the claims is respectfully requested.

Claim Rejections - 35 USC §112

Claims 18-24 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Accordingly, claims 18-24 have been cancelled without prejudice.

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Claims 1 and 3-24 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Independent claims 1, 4, 11 and dependent claim 15 have been amended and withdrawal of this rejection is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application, including claims 1 and 3-17, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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